

REMARKS

The present application was filed on March 30, 2001 with claims 1 through 50. Claims 1 through 50 are presently pending in the above-identified patent application.

5 In the Office Action, the Examiner rejected claims 1-50 under 35 U.S.C. §103(a) as being unpatentable over Anderson (United States Patent Application Number 2001/0025301) and further in view of Schuster et al. (United States Patent Number 6,584,490).

Independent Claims 1, 14, 17, 21, 29, 32, 36, 44 and 47

10 Independent claims 1, 14, 17, 21, 29, 32, 36, 44, and 47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson and further in view of Schuster et al. Regarding claims 1, 21, and 36, the Examiner asserts that Anderson teaches a) determining if network information is assigned to one or more preferred groups; and b) configuring a network to assign a higher priority to the network
15 information when the network information is assigned to one or more preferred groups (page 4, paragraph 43). The Examiner acknowledges that Anderson did not disclose in detail that the “higher priority being relative to network information not assigned to one or more preferred groups,” but asserts that Schuster discloses “a selected low priority level would block calls from certain individuals, which calls from other individuals may
20 be deemed important enough to set a high enough priority level to interrupt the business meeting.” (Col. 8, lines 58-62.) The Examiner asserts that a person of ordinary skill in the art would have combined the cited references to “reduce latency by improving priority scheduling.”

25 Applicants note that, although Anderson teaches that a “method should preferably prioritize transmission according to the destination that is receiving the most important, i.e. time critical, information” (page 2, paragraph 14), the method taught by Anderson **only** requires that “destinations receiving data *from many sources* will receive *priority*.” (Page 4, paragraph 43; emphasis added.) Anderson claims that “this is effective because communication stations 30 that receive traffic from many locations
30 have been shown to be more likely to be receiving more time-critical traffic, or *to have many users*. Communication stations 30 that receive data from only a few sources have

been shown to be more likely transferring large amounts of data, for which some delay is acceptable.” (Page 18, paragraph 223; emphasis added.) Contrary to Anderson’s assertion, the number of sources from which data is received is not indicative of a time critical characteristic of the data, as would be apparent to a person of ordinary skill in the art.

In any case, Anderson does not disclose or suggest configuring a network to assign a higher priority to the network information when the network information is assigned to one or more *preferred groups*. The present disclosure teaches that “preferred groups are those *groups of individuals* that are allowed to prioritize their communications over a network.” (Page 4, lines 11-12; emphasis added.) Anderson does not disclose or suggest that preferred groups are *groups of individuals*.

The Examiner also acknowledges that Anderson did not disclose in detail that the “higher priority being relative to network information not assigned to one or more preferred groups,” but asserts that Schuster discloses “a selected low priority level would block calls from certain individuals, which calls from other individuals may be deemed important enough to set a high enough priority level to interrupt the business meeting.”

Applicants note that, as the Examiner acknowledges, the priority level disclosed by Schuster is utilized for determining *how received calls are handled* (blocked or allowed to interrupt a business meeting, etc.). Schuster teaches that,

in another embodiment, the user 220 may use the PID 210 to *configure the voice communication device 208 to screen calls* based on priority levels set for individuals for whom the user 220 has provided an entry in an address book.
(Col. 10, line 65, to col. 11, line 1; emphasis added.)

Thus, the call handling is *provided by the voice communication device 208*. Schuster also teaches that voice communication device 208 is attached to the network (FIG. 1), but does **not** *disclose or suggest that voice communication device 208 is an element of the network*. Thus, Schuster does not disclose or suggest that the priorities are utilized for **configuring a network**, and does not disclose or suggest that the priorities are utilized for **configuring a network to assign a higher priority to the**

network information when the network information is assigned to one or more preferred groups, as would be apparent to a person of ordinary skill in the art.

In any case, contrary to the Examiner's assertion, a person of ordinary skill in the art would *not* have combined the cited references to "reduce latency by improving priority scheduling," since the priority disclosed by Schuster is not related to priority scheduling that effects network latency, as defined in the art. Independent claims 1, 21, and 36 require configuring a network to assign a higher priority to the network information when the network information is assigned to one or more preferred groups, independent claims 14, 29, and 44 require configuring a network to assign a higher priority to network information assigned to the individual when the prioritization privilege indicates that the network information belongs to a preferred group, and independent claims 17, 32, and 47 require determining if an individual belongs to one or more preferred groups; marking network information associated with the individual with a priority label; and configuring a network to assign a higher priority, as compared to network information not marked with a priority label, to the marked network information.

Thus, Anderson and Schuster, alone or in combination, do not disclose or suggest configuring a network to assign a higher priority to the network information when the network information is assigned to one or more preferred groups, as required by independent claims 1, 21, and 36, do not disclose or suggest configuring a network to assign a higher priority to network information assigned to the individual when the prioritization privilege indicates that the network information belongs to a preferred group, as required by independent claims 14, 29, and 44, and do not disclose or suggest determining if an individual belongs to one or more preferred groups; marking network information associated with the individual with a priority label; and configuring a network to assign a higher priority, as compared to network information not marked with a priority label, to the marked network information, as required by independent claims 17, 32, and 47.

Dependent Claims 2-13, 15-16, 18-20, 22-28, 30-31, 33-35, 37-43, 45-46 and 48-50

Dependent claims 2-13, 15-16, 18-20, 22-28, 30-31, 33-35, 37-43, 45-46, and 48-50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson

and further in view of Schuster et al.

Claims 2-13, 15-16, 18-20, 22-28, 30-31, 33-35, 37-43, 45-46, and 48-50 are dependent on claims 1, 14, 17, 21, 29, 32, 36, 44, and 47, respectively, and are therefore patentably distinguished over Anderson and Schuster et al., alone or in combination, because of their dependency from independent claims 1, 14, 17, 21, 29, 32, 36, 44, and 47 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims, i.e., claims 1-50, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



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